

GP 3761



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

L. Parks
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#2/supl.
IDS

In re Application of:)
)
Michael Niemeyer at al.)
)
Serial No. 09/974,638)
)
Filed: October 9, 2001)
)
For: ARTICLES COMPRISING SUPERABSORBENT)
MATERIALS HAVING A BIMODAL PARTICLE SIZE)
DISTRIBUTION)

Art Unit: 3761
Examiner: Not yet known

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The citation of information on the attached Form PTO/SB/08, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.97 and 1.98. Copies of the listed items are enclosed.

Certificate

It is hereby certified, under Rule 97(e)(1), that each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC, 20231, on December 27, 2002.

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than three months prior to the filing of the statement. A copy of the Invitation to Pay Additional Fees and partial International Search Report dated November 8, 2002 is also attached.

Item 3 (DE 198 13 443 A1) was cited in the partial International Search Report as a document of particular relevance, asserting that the claimed invention can not be considered novel or to involve an inventive step when the document is considered alone (an "X" reference). Item 5 (DE 199 17 919 A1) was cited in the partial International Search Report as a document of particular relevance, asserting that the claimed invention can not be considered to involve an inventive step when the document is combined with another such document (a "Y" reference).

The citation of this information does not constitute an admission that any of the materials are available as a reference or of priority, or a waiver of any right applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Respectfully submitted,



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